

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**  
MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-0108952

Owner: Simmons Foods, Inc.  
Address: P.O. Box 430, Siloam Springs, AR 72761

Continuing Authority: Same as below  
Address: Same as below

Facility Name: Simmons Hatchery  
Facility Address: Route 2, Box 2290, Pineville, MO 64856

Legal Description: NW ¼, NW ¼, Sec. 07, T21N, R31W, McDonald County  
Receiving Stream: Little Sugar Creek (P)  
First Classified Stream and ID: Little Sugar Creek (P) (03249) 303(d)  
USGS Basin & Sub-watershed No.: (11070208-040005)

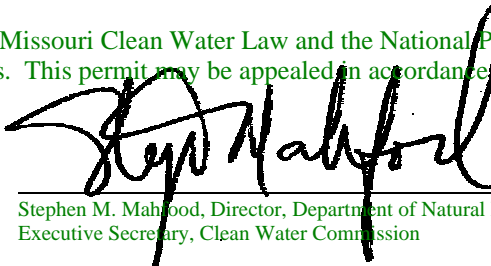
is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

See Page 2 of 8

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

January 25, 2002      July 3, 2003  
Effective Date      (Revised)

  
Stephen M. Mahood, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

January 24, 2007  
Expiration Date

\_\_\_\_\_  
R. Bruce Martin, Director, Southwest Regional Office

FACILITY DESCRIPTION (continued)

Outfall #001 – Industry – SIC #0254

Non-contact cooling water.  
Design flow is 9,000 gallons per day.  
Actual flow is 1,500 gallons per day.  
Latitude / Longitude: +3633529 / -09419586

Outfall #002 – Industry – SIC #0254

Stormwater runoff for East part of the site. Located at the NE corner of the property.  
Design flow is 58,000 gallons per day.  
Actual flow is dependent upon precipitation.

Outfall #003 – Industry / Sewerage Works – SIC #0254 / 4952

Single cell lagoon / wastewater irrigation / sludge is retained in lagoon.  
Design population equivalent is 89.  
Average design flow is 9,250 gallons per day (1-in-10 year design including net rainfall minus evaporation).  
Average design flow is 7,230 gallons per day (dry weather flows).  
Design sludge production is 1.3 dry tons per year.

Outfall #004 – Industry – SIC #0254

Stormwater runoff for West part of the site. Located at the NW corner of the property.  
Design flow is 90,000 gallons per day.  
Actual flow is dependent upon precipitation.

| <b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>   |               |                            |                |                 | PAGE NUMBER 3 of 8       |                        |
|--|---------------|----------------------------|----------------|-----------------|--------------------------|------------------------|
|  |               |                            |                |                 | PERMIT NUMBER MO-0108952 |                        |
| The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below: |               |                            |                |                 |                          |                        |
| OUTFALL NUMBER AND EFFLUENT PARAMETER(S)   | UNITS         | FINAL EFFLUENT LIMITATIONS |                |                 | MONITORING REQUIREMENTS  |                        |
|  |               | DAILY MAXIMUM              | WEEKLY AVERAGE | MONTHLY AVERAGE | MEASUREMENT FREQUENCY    | SAMPLE TYPE            |
| <u>Outfall #001</u> – Non-contact cooling water.   |               |                            |                |                 |                          |                        |
| Flow   | MGD           | *                          |                | *               | once/quarter**           | instantaneous estimate |
| pH – Units   | SU            | ***                        |                | ***             | once/quarter**           | grab                   |
| Oil & Grease   | mg/L          | 15                         |                | 10              | once/quarter**           | grab                   |
| Temperature****  | °F            | 90                         |                | *               | once/quarter**           | grab                   |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2004</u> .   |               |                            |                |                 |                          |                        |
| <u>Outfalls #002 &amp; #004</u> - Stormwater   |               |                            |                |                 |                          |                        |
| Flow   | MGD           | *                          |                | *               | once/quarter**           | instantaneous estimate |
| Biochemical Oxygen Demand <sub>5</sub>   | mg/L          | 60                         |                | 45              | once/quarter**           | grab                   |
| Chemical Oxygen Demand   | mg/L          | *                          |                | *               | once/quarter**           | grab                   |
| Settleable Solids  | mL/L/hr       | 1.5                        |                | 1.0             | once/quarter**           | grab                   |
| Oil & Grease   | mg/L          | 15                         |                | 10              | once/quarter**           | grab                   |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2004</u> .   |               |                            |                |                 |                          |                        |
| <u>Outfall #003</u> (Notes 1 & 2)<br>Land Application Operational Monitoring   |               |                            |                |                 |                          |                        |
| Lagoon Freeboard   | feet          | *                          |                |                 | once/month               | measured               |
| Irrigation Period  | hours         | *                          |                |                 | daily                    | total                  |
| Volume Irrigated   | gallons       | *                          |                |                 | daily                    | total                  |
| Application Area   | acres         | *                          |                |                 | daily                    | total                  |
| Application Rate   | inches / acre | *                          |                |                 | daily                    | total                  |
| Rainfall   | *             | *                          |                |                 | daily                    | total                  |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2004</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.   |               |                            |                |                 |                          |                        |
| <b>B. STANDARD CONDITIONS</b>  |               |                            |                |                 |                          |                        |
| IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.  |               |                            |                |                 |                          |                        |

| A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)  |       |                            |                   |                    | PAGE NUMBER 4 of 8       |                  |
|--|-------|----------------------------|-------------------|--------------------|--------------------------|------------------|
|  |       |                            |                   |                    | PERMIT NUMBER MO-0108952 |                  |
| The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below: |       |                            |                   |                    |                          |                  |
| OUTFALL NUMBER AND EFFLUENT<br>PARAMETER(S)  | UNITS | FINAL EFFLUENT LIMITATIONS |                   |                    | MONITORING REQUIREMENTS  |                  |
|  |       | DAILY<br>MAXIMUM           | WEEKLY<br>AVERAGE | MONTHLY<br>AVERAGE | MEASUREMENT<br>FREQUENCY | SAMPLE<br>TYPE   |
| Outfall #003 – (Note 3)<br>Irrigated Wastewater  |       |                            |                   |                    |                          |                  |
| Flow   | MGD   | *                          |                   | *                  | once/discharge           | 24 hour estimate |
| Biochemical Oxygen Demand <sub>5</sub>   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Chemical Oxygen Demand   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Total Suspended Solids   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Total Kjeldahl Nitrogen as N   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Ammonia Nitrogen as N  | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Nitrate / Nitrite as N   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Total Phosphorus   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Chlorides  | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| Total Sodium   | mg/L  | *                          |                   | *                  | once/quarter**           | grab             |
| pH – Units   | SU    | ***                        |                   | ***                | once/quarter**           | grab             |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2004</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.   |       |                            |                   |                    |                          |                  |
| B. STANDARD CONDITIONS   |       |                            |                   |                    |                          |                  |
| IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.  |       |                            |                   |                    |                          |                  |

| A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)  |         |                            |                   |                    | PAGE NUMBER 5 of 8       |                  |
|--|---------|----------------------------|-------------------|--------------------|--------------------------|------------------|
|  |         |                            |                   |                    | PERMIT NUMBER MO-0108952 |                  |
| The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below: |         |                            |                   |                    |                          |                  |
| OUTFALL NUMBER AND EFFLUENT<br>PARAMETER(S)  | UNITS   | FINAL EFFLUENT LIMITATIONS |                   |                    | MONITORING REQUIREMENTS  |                  |
|  |         | DAILY<br>MAXIMUM           | WEEKLY<br>AVERAGE | MONTHLY<br>AVERAGE | MEASUREMENT<br>FREQUENCY | SAMPLE<br>TYPE   |
| <u>Outfall #003</u> – (Note 4)<br>Emergency discharge from lagoon or<br>irrigation sites.  |         |                            |                   |                    |                          |                  |
| Flow   | MGD     | *                          |                   | *                  | once/day*****            | 24 hour estimate |
| Biochemical Oxygen Demand <sub>5</sub>   | mg/L    | 65                         |                   | 45                 | once/day*****            | grab             |
| Chemical Oxygen Demand   | mg/L    | 90                         |                   | 68                 | once/day*****            | grab             |
| Total Suspended Solids   | mg/L    | 110                        |                   | 70                 | once/day*****            | grab             |
| Total Kjeldahl Nitrogen as N   | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Ammonia Nitrogen as N  | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Nitrate / Nitrite as N   | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Oil & Grease   | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Total Phosphorus   | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Chlorides  | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Total Sodium   | mg/L    | *****                      |                   | *****              | once/day*****            | grab             |
| Fecal Coliform   | #/100mL | *****                      |                   | *****              | once/day*****            | grab             |
| pH – Units   | SU      | ***                        |                   | ***                | once/day*****            | grab             |
| MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>JANUARY 28, 2004</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.   |         |                            |                   |                    |                          |                  |
| B. STANDARD CONDITIONS   |         |                            |                   |                    |                          |                  |
| IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Parts I &amp; III</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.  |         |                            |                   |                    |                          |                  |

#### A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- \* Monitoring requirement only.
- \*\* Sample once per quarter in the months of January, April, July and October.
- \*\*\* pH is measured in pH units and is not to be averaged. The pH is to be maintained at or above 6.0 pH units.
- \*\*\*\* This discharge must not raise the temperature of the receiving stream more than 5°F or cause the temperature of the receiving stream to rise above 84°F.
- \*\*\*\*\* Monitor only when discharge occurs. Report as no-discharge when a discharge does not occur during the reporting period.
- \*\*\*\*\* Comply with water quality standards as per 10 CSR 20-7.031.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

Note 1 - Records shall be maintained and summarized into an annual operating report that shall be submitted by January 28<sup>th</sup> of each year. See Requirements.

Note 2 - Lagoon freeboard shall be reported as lagoon water level in feet below the overflow level. See Requirements.

Note 3 - Wastewater that is irrigated shall be sampled at the irrigation pump or wet well.

Note 4 - **No-discharge facility requirements**. Wastewater shall be stored and land applied during suitable conditions so that there is no-discharge from the lagoon or irrigation site. An emergency discharge may occur when excess wastewater has accumulated above feasible irrigation rates due to precipitation exceeding the 1-in-10-year rainfall or the 25-year-24-hour storm event.

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:

- (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
  - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
  - (2) controls any pollutant not limited in the permit.
- (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
- (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

2. All outfalls must be clearly marked in the field.

3. Permittee will cease discharge by connection to areawide wastewater treatment system within 90 days of notice of its availability.

4. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) One hundred micrograms per liter (100 µg/L);
  - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
  - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

C. SPECIAL CONDITIONS (continued)

5. Report as no-discharge when a discharge does not occur during the report period.
6. General Criteria. The following water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - (a) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
  - (b) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
  - (c) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
  - (d) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
  - (e) There shall be no significant human health hazard from incidental contact with the water;
  - (f) There shall be no acute toxicity to livestock or wildlife watering;
  - (g) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
  - (h) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
7. Outfall #001 shall be sampled at a point where there is no stormwater influence on the non-contact cooling water (sample of cooling water only).

D. REQUIREMENTS

These requirements do not supersede nor remove liability for compliance with county and other local ordinances.

1. The facility shall be operated as a no-discharge facility in accordance with 10 CSR 20-6.015(1)(B)12. A no-discharge facility is a facility designed and operated to hold or irrigate without direct discharge to surface or subsurface waters of the state, including all process wastewater and associated stormwater flows for the wettest 1-in-10-year rainfall and the 25-year-24-hour storm event; any basin must be sealed in accordance with 10 CSR 20-8 and there must be no subsurface releases in violation of 10 CSR 20-7.015.
2. Land application rates shall not cause runoff from the application sites during land application. Annual application rates shall not exceed 200 pounds of total nitrogen per acre for facilities with wastewater flows exceeding 1,500 gallons per day.
3. Lagoons and storage basins shall be operated so that the maximum water elevation does not exceed one foot below the overflow point except due to the rainfall exceptions in this permit. The minimum operating water level shall be clearly marked and lagoons / storage basins shall be lowered to this minimum level prior to each winter.
4. Land application shall not occur within 300 feet of a well, sinkhole, or losing stream; 150 feet of dwellings; and 50 feet of the property line or stream bank, including intermittent flowing streams.
5. Land application equipment shall be properly operated and maintained and shall be visually checked daily during irrigation.
6. The land application site shall be well vegetated during the application periods or vegetation should be established as soon as practicable after biosolids incorporation within the normal crop planting and harvesting seasons.
7. Land application shall not occur during freezing conditions or when the soil is saturated.

D. REQUIREMENTS (continued)

8. Wastewater and biosolids shall not be applied to public use areas.
9. Wastewater and biosolids shall be tested at least once/year during the land application period for Total Kjeldahl Nitrogen in mg/kg wet weight and calculations made to determine the pounds of nitrogen per gallon or per cubic yard using the following procedure:  $(\text{mg/kg of N}) \times (0.00168) = \text{pounds N per 1,000 gallons}$ ; or  $(\text{mg/kg of N}) \times (0.00168) = \text{pounds N per cubic yard}$ .
10. The permittee shall maintain operating records on file at the facility for at least five years for the following: daily rainfall received, wastewater and biosolids testing results, dates and amounts of wastewater and biosolids applications and nitrogen loading for each land application site or equipment setting, dates when the facility is checked for proper operation, monthly water level in the lagoon or storage basin, dates when a wastewater discharge occurs from the lagoon / storage basin or land application site, records of maintenance and repairs, and description of any unusual operating conditions encountered.